

REMARKS

The Official Action mailed May 16, 2011, has been received and its contents carefully noted. This response is filed within three months of the mailing date of the Official Action and therefore is believed to be timely without extension of time. Accordingly, the Applicant respectfully submits that this response is being timely filed.

The Applicant notes with appreciation the consideration of the Information Disclosure Statements filed on July 14, 2006; August 21, 2006; August 18, 2009 and March 2, 2011.

However, the Applicant has not received acknowledgment of the Information Disclosure Statements filed on April 25, 2011. Also, a further Information Disclosure Statement was submitted on June 22, 2011. Consideration of these Information Disclosure Statements is respectfully requested.

Claims 2, 4-6, 9-11, 14-16, 19-21, 24-26, 29-31, 33, 35-37, 40-42, 45 and 47 were pending in the present application prior to the above amendment. Claims 9-11, 45 and 47 have been canceled without prejudice or disclaimer and claims 2 and 4-6 have been amended to better recite the features of the present invention. Accordingly, claims 2, 4-6, 14-16, 19-21, 24-26, 29-31, 33, 35-37 and 40-42 are now pending in the present application, of which claims 2, 5 and 6 are independent. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

Paragraph 2 of the Official Action rejects claims 1-48 as obvious based on U.S. Patent No. 6,497,371 to Kayanakis. The Applicant respectfully submits that a *prima facie* case of obviousness cannot be maintained against the independent claims of the present application, as amended.

As stated in MPEP §§ 2142-2144.04, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some reason, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second,

there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some reason to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

The prior art, either alone or in combination, does not teach or suggest all the features of the independent claims, as amended. Independent claims 2 and 6 have been amended to recite that the antenna is electrically connected to the thin film integrated circuit through an opening of the film-like article, supported in the specification at least by Figures 6 and 7 and corresponding text. Independent claim 5 has been amended to recite a IDF chip; an antenna connected to the IDF chip through an anisotropic conductor; and a resin covering the IDF chip and the antenna, wherein the IDF chip and the antenna are provided in a depression of the film-like article, supported at least by Figure 5 and corresponding text. For the reasons provided below, Kayanakis does not teach or suggest the above-referenced features of the present invention.

The Applicant respectfully submits that Kayanakis only potentially discloses (column 3, lines 50-62):

"[w]hile the thickness of the antenna is negligible, this is not the case for the chip 22 which has a certain thickness. This is why a paper or plastic material overlay 21 is installed on each module before or after cutting the band. This overlay has a thickness slightly greater than that of the chip and is provided with an opening 23 whose dimensions are slightly

greater than that of the chip so that the latter fits into in the hole. In this manner, when the overlay is installed, the thickness of the module is practically constant (except in the area where the chip thickness is 60 slightly reduced) thereby avoiding a depression around the chip when the coating layer is applied."

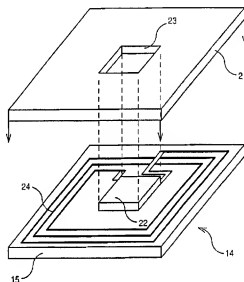


FIG. 4


That is, Kayanakis only appears to disclose providing an opening whose dimensions are slightly greater than that of the chip so that the latter fits into in the hole (see, Figure 4, reproduced above). On the other hand, Kayanakis does not teach or suggest that antenna 24 is electrically connected to chip 22 (asserted thin film integrated circuit) through opening 23. Furthermore, Kayanakis does not teach or suggest that an IDF chip and antenna 24 are provided in a depression of a film-like article.

Since Kayanakis does not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized to charge fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(a), 1.20(b), 1.20(c), and 1.20(d) (except the Issue Fee) which may be required now or hereafter, or credit any overpayment to Deposit Account No. 50-2280.

Respectfully submitted,



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